

K. Scholano (M.)
AN AUTHENTIC
A C C O U N T

OF THE
Trials, Behaviour, and Dying
Declaration,

OF THE
Five MALEFACTORS,

Who were Executed at Kennington-Common, on Monday
the 23d of April, 1770, for the divers Robberies they
had committed in the County of SURREY.

To which is added,

The Behaviour and Dying Words of STEPHEN
GREGORY, a Russian,

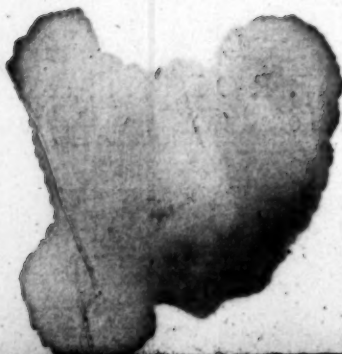
Who was Executed on Monday the 9th Instant, at Esher, for the
Murder of Mrs. HERNE.

Also an Abstract of the Trials of the other Prisoners
who were Tried at the said Assizes, at Kingston.

L O N D O N:

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An Authentic
A C C O U N T
O F T H E
Trials, and Behaviour of the
five Malefactors, &c.

AT the Affizes held at Kingston-upon-Thames, in and for the County of Surrey, on Wednesday the 4th, Thursday the 5th, Friday the 6th, and Saturday the 7th days of April, 1770, were tried and convicted, before the Justices of our Lord the King, assigned to take the Affizes, &c. and deliver the Goal of the Prisoners therein being, the following Malefactors, who have suffered according to their several sentences, viz.

William Harris, alias Scholas, alias Hamilton, alias Smith, was indicted for committing divers robberies in the County of Surrey, of which he was found Guilty.

He was taken for the said robberies in the County of Middlesex, and committed to Newgate, from whence he was removed, by Writ of Habeas Corpus, on Wednesday the 27th day of December, 1769, to the County Goal of Surrey.

He was about twenty-six years of age, born in the Liberty of Westminster, and was the son of a very worthy father, who gave him a genteel education, and whilst he was under his care and tuition, brought him up in all the principles of Christianity. When he left school, his father wanted to put him out as an apprentice to whatever business he thought fit: But his inclination was intirely for the sea, upon which his father, by proper solicitations got him to be a Midshipman, on board one of his Majesty's frigate's, the latter end of the last war with France. His behaviour on board was very becoming, and he served with the approbation of all the Officers, being greatly beloved and respected. Some time after he had been on board the frigate, he was sent on board the Prince man of war of 70 guns, in which ship he continued till the war was ended.

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This unfortunate young man had a kind of ambition in him, which was scarce discernible till a person was pretty well acquainted with him; this cast of mind led him into errors: For when he was discharged and came on shore, he appeared in a gay manner, kept high company, was very fond of his bottle, and a great admirer of the Fair-Sex, with whom he made a little too free, which at last brought him to this his unhappy end.

Charles Burkett, was also indicted for committing divers robberies in the County of Surrey, of which he likewise was found Guilty.

He was about twenty - seven years of age, was born of honest and creditable parents in the parish of St. Saviour's, Southwark, who gave him a proper education. He followed for some-time the occupation of a waiter, and after that he was a porter to a tradesman in the Borough, with whom he lived some time, and was very well beloved; but he being of an unsettled and wavering mind, he left his place, and having a small trifle of money, which he had saved, he rambled about till he had expended it, and then for want of a proper place of residence, he fell into the hands of a set of pickpockets, &c. which soon brought him to the fatal catastrophe which befel him.

John Siney, was indicted for stopping Thomas Kimber, and John Shorey, on the King's Highway, in the Parish of Croydon, and robbing the said Thomas Kimber of one Guinea in Gold, his property, and John Shorey of Half a Guinea in Gold, and one Shilling in Silver, his property; he received sentence of Death, but was respited the evening before the execution.

Joseph Adams, was indicted for divers robberies that he had committed on several persons in the County of Surrey, in company with Edward Bennett, who received sentence of death, but was reprieved.

They were taken for the said robberies in the County of Middlesex, and committed to Newgate, from whence they were removed, by Writ of Habeas Corpus, on Wednesday 27th day of December, 1769, to the County Goal of Surrey.

The unfortunate Joseph Adams, was twenty-two years of age, born of honest and industrious parents, in a small village in Shropshire, but he being of a roving disposition strayed from them and came to London; where, he in a short time soon expended what money he had. He being then destitute, he was soon ensnared into bad company, which, he said, brought him to the shameful death he suffered.

Stephen Dunn, was indicted for committing several robberies in the County of Surrey, of which he was also found Guilty.

This unfortunate criminal did not give any account of himself, but he confessed, that he justly suffered for the robberies he had committed.

George Allen, alias *Powditch*, was indicted for feloniously breaking the Prison of the County Goal, in the County of Surrey, on the 8th day of February last, 1770. where he was then imprisoned until he should be transported, he being convicted at the last General Quarter Session of the Peace, held for the County of Surrey, at St. Margaret's-Hill, in Southwark, for feloniously stealing, taking, and carrying away one Sack, containing four Bushels of Peate, the property of Charles Horton.

He also robbed Ann Child, in the County of Middlesex of a Gown, for which he was committed to the New-Prison, Clerkenwell, from whence he was removed, by Writ of Habeas Corpus, on Friday the 30th day of March, 1770, to the aforesaid Goal.

He was about twenty-six years of age, was born of poor but honest parents in the Mint, in

in the Borough of Southwark, whose inability to give him learning, and his own unruly disposition, was the cause of his launching into a wicked course of life, as soon as he was capable of distinguishing good from bad. He said, he had committed several robberies, not only in the County of Surrey, but in the County of Middlesex, all which robberies he confessed to a person who attended him during the time of his condemnation.

He began this bad course of life, as he confessed, before he was sixteen years of age, in company with several others, much about his own, and that their chief rendezvous was in and about the Mint. The first exploit, he said, he and his companions ever did was picking of pockets, and having very good success, it encouraged them to proceed in this course of life, till two of his accomplices were taken in and about the Borough, and committed to the New Gaol, for robbing of several persons of their handkerchiefs, for which they were tried and convicted.

On this unluckly affair, he and his other accomplices, were obliged to fly to St. Giles's, where they stayed till the other two were transported, when they returned to their old rendezvous again, and began to practise their former trade of picking of pockets; but they disagreeing with one another, he said, they parted company, and that he after that continued in that wicked way of life, secretly by himself, till he was taken up for robbing Mr. Horton, for which he was sentenced to be transported; but his breaking the Goal, and being found at large, without having received his Majesty's most gracious pardon, proved the means of bringing him to suffer the ignominious death he did.

When he was ordered to the bar, to answer to the indictment that was against him, he refused to plead, unless the Judge would promise, that in case he should be

convicted, his sentence should not be transportation again: Mr. Baron Smythe remonstrated, and explained to him the impossibility of his complying with his demand; and also informed him, that if he persisted in his silence, he must be sentenced to the *peine forte & dure*; that he must be laid naked upon the ground, with a considerable weight upon him, which would be gradually increased till his death; that he would be fed with a morsel of bread, and one draught of the next ditch water, daily; that he remembered two instances of men submitting for a little time to that punishment, but that neither persevered in their resolution. Upon which the wretch cried out, You may die and be d——d yourself. The Baron answered in the true spirit of an upright Judge, I am shocked for you, and pity you; but God forbid that any thing you say, should make me deviate from my duty with regard to you. However at last he pleaded, and was convicted; and when he was carrying out of court, knocked down the hangman, so hardened was his resolution.

Whilst he was in the Stockhouse-prison, at Kingston, after he was convicted, his behaviour was very notorious, and he seemed not any ways concerned about his unhappy situation. The other unhappy criminals seemed to be much affected at their sentence, especially Scholas and Adams, who shed tears, which Powditch took little or no notice of.

Powditch and Adams both broke the Goal and escaped, in company with Richard Batt, Richard Odehams, John Harman, Acteon Greenwell and Richard Broker, but were all soon retaken again, excepting Broker, who has not yet been taken.

The morning they went out of the Goal, in order to take their trials for their several offences, they behaved in a very undaunted manner, having blue ribbons in their hats, in which manner they very imprudently entered]

tered the Town of Kingston, amidst a great concourse of people, who appeared to be much concerned for their unseemly behaviour under their unhappy circumstances.

On Monday the 9th day of April, they were brought back to the New Goal, when they were put into the cells; and on the morning following a worthy Divine attended them, to administer such portions of scripture to them, that might prepare them for a future state; and on the Sunday before their execution, they were ordered down from the cells, and their wives and friends were admitted to them, when a sermon was preached, suitable to their unhappy situation. The text was from the Fourth Chapter of Amos, and the latter part of the Twelfth Verse, *And because I will do this unto thee, prepare to meet thy God, O Israel.* Before the Sermon was sung the Hundred Psalm.

ALL people that on earth do dwell,
Sing to the Lord with cheerful voice:
Him serve with fear, his praise forth tell,
Come ye before him and rejoyce.

The Lord, ye know, is God indeed,
Without our aid he did us make:
We are his flock, he doth us feed,
And for his sheep he doth us take.

O enter then his gates with praise,
Approach with joy his courts unto:
Praise, laud, and bless his Name always,
For it is seemly so to do.

For why? the Lord our God is good,
His mercy is for ever sure:
His truth at all times firmly stood,
And shall from age to age endure.

And after the Sermon, the following Lamentation of a Sinner.

O Lord, in thee is all my trust,
Give ear unto my woful cry:
Refuse me not that am unjust,
But cast on me thy heav'nly eye.

Behold how I do still lament
My sins wherein I do offend:
Shall I for them have punishment,
Since thee to please I do intend?

No, no, thy will is not so bent
To deal with sinners in thine ire:
But when in heart they do repent,
With speed thou grantest their desire.

To thee therefore still will I cry,
To wash away my sinful crime:
Thy blood, O Lord, is not yet dry,
But that it may help me in time.

Haste, then, O Lord, therefore I pray,
To pour on me thy gifts of grace:
That when this life shall pass away,
In heav'n with thee I may have place.

Where thou dost reign eternally
With God, which once thee down did send:
Where angels do incessantly
Sing praise to thee world without end.

During Divine Service they all behaved decent, and very penitent; and after it was ended, they and their wives were permitted to be together for some time. It was a very affecting scene to see Scholas, Adams, Dunn, and their wives weeping, and condoling with each other on the unhappy occasion; and when they were ordered back to the cells, it drew tears from all the spectators present, to see them part from each other; and they confessed the facts they had committed, for which they were to suffer on the Monday.

The Morning of Execution.

Monday April 24, 1770, being the day appointed for their execution, they were brought down, and after having received the Sacrament, their irons were knock'd off, and they were put into the carts, viz. In the first cart were Scholas and Joseph Adams: In the other cart were George Allen, alias Powditch, Charles Burkett, and Stephen Dunn. They all behaved with great penitence and devotion to the place of execution; but Powditch, when he arose up in the cart, for the executioner to perform his duty, he pulled off his hat and threw it among the spectators. The worthy Divine, who attended them in prison, and administered to them the Sacrament, went in a coach to the place of execution, where he prayed with them, and gave them such exhortations and instructions as were necessary to fit and prepare them for that eternity into which they were soon to launch.

When they had prayed some small time, their caps were pulled over their eyes, and the cart drew away, when they launched into eternity, to answer for their crimes, before a just and awful God. After their bodies had hanged the usual time, they were cut down, and Scholas, Adams, Burkett, and Dunn, were put in separate hearſes, which attended there for that purpose, by the order of their friends; but Powditch was put into a ſhell, and delivered to his Brother, who attended the execution.

Scholas was dressed in a dark fourtout coat with a friar's cape. Adams was dressed in a blue coat with a red cape. Burkett was dressed in a Thickſet frock. Dunn was dressed in a sort of a ſtuff colour'd coat. And Powditch was dressed in a ſustain frock; and each of them had their hats ſlop'd.

The DYING WORDS, &c. of STEPHEN GREGORY, a Ruſſian, who was executed on Monday the 9th of April, 1770, at Eſher, for the Murder of Mrs. Herne.

THIS unfortunate Gregory, was indicted at Kingſton-upon-Thames, on Saturday the 7th day of April, 1770, for that he, not having the fear of God before his eyes, but being moved and ſeduced by the inſtigations of the Devil, &c. on the 3d day of this inſtant, at Eſher, on Mrs. Herne, did

make a violent aſſault, and with a certain knife, made of ſteel or iron, or with ſome other unlawful weapon, did cut or otherwiſe mortally wound, the ſaid Mrs. Herne, of which mortal wound ſhe inſtantly died, to which indictment he pleaded not guilty, and for his trial he put himſelf upon God and his Country;

Country; but several witnesses being examined, the fact was clearly proved against him, and the Jury found him guilty, and ordered him for execution, according to his sentence.

After sentence was passed on him, he was conducted back to the Stockhouse Prison, and as he was going from the Court-House thither, some of the spectators could not help degrading him with the inhumane and horrid fact, for which he had been most justly convicted of, which greatly affected him.

The following are the particulars of the horrid transaction, with an account of his behaviour on the day of execution.

He had been a lodger in the house, and was suspected by Mrs. Herne of attempting to rob them, which she informed her husband of, who turned him out of his house. It is supposed he committed the murder out of revenge; he attempted to conceal himself in the house the night before, as the man and his wife were from home, but was prevented by some neighbours taking charge of it in their absence. The morning the shocking affair happened, Mr. Herne left his wife in bed about a quarter after six, to go to Lord Clive's gardens to work; he left the door of his house unlocked, which was observed by this villian, who immediately went up to her chamber, and cut her throat in a most dreadful manner, so as nearly to sever her head from her body, then laid her on the floor, covered with the bed cloaths, left the young child naked in the bed, rifled the drawers, and made his escape. The poor woman not being up so soon as usual, her next door neighbour, between nine and ten o'clock, went to know the reason, found Mrs. Herne as before-mentioned, and the poor infant crying in bed. The Russian being observed to come out of the house that morning, several went immediately in pursuit after him; he was taken at Godalming, committed to Guildford goal, from thence conveyed to Kingston, was tried on Saturday,

and ordered for execution on the Monday following, at Esher, opposite the house where he committed the fact.—He was about twenty-two years of age, and a stout well made man.—Five silver table spoons were found upon him, which Mr. Herne made oath was his property.

On the Day of Execution.

Soon after seven in the morning the prisoner was unlocked, and taken out of the condemn'd room, where he had been confined ever since sentence of death had been passed on him, and taken into an apartment, where a gentleman attended to pray with him, and give him such exhortations and instructions as were necessary to fit and prepare him for that eternity into which he was soon to launch: He was very devout, and joined in prayer with great fervency, appearing under the most sincere sorrow and contrition for his mispent life, and manifold transgressions, particularly blood-guiltless.

When prayers were ended, the prisoner was taken into the goal-yard, and had his fetters knock'd off; and then the executioner came to halter him, and to tie his hands, on which he changed countenance, but was not observed to shed tears. He was then led out of the goal, and put into a cart, which carried him to the place of execution.

When the prisoner was brought to the gibbet, which was erected at Escher aforesaid, the gentleman who attended him in prison, went into the cart and prayed with him for some time. After which the cart drew away, and he was launched into eternity.

After he had hanged the usual time, his body was cut down, and brought to the New-Goal, Southwark, from whence it was delivered to the Surgeons to be dissected, pursuant to his sentence.

An ACCOUNT of the other PRISONERS Tried at the said ASSIZES.

WILLIAM SIMONDS, was indicted for feloniously stealing a sorrel Mare, the property of Thomas Law; he was also indicted for breaking the County Goal of Surrey.——Guilty Death, but Reprieved.

Christian Anderson, was indicted for taking away Richard Trevis, an infant of two years of age, from his mother Ann Trevis, in Kent-street, Southwark, and blinding him, in order to ask charity with him.——To be Transported for Seven Years.

Benjamin Day, was indicted for assaulting and robbing John Townson, on Barnes Common, in the County of Surrey, of three Guineas in Money, his property.——Guilty Death, but Reprieved.

John Brian, was indicted for opposing and obstructing Joseph Dunkin, Samuel Robins, and Richard Rule, Officers of His Majesty's Customs of the Port of London, in the due execution of their office, and wounding and beating them, contrary to the statute.——To be Transported for Three Years.

William Hownsome, was indicted for feloniously stealing one black Gelding, and one black Mare, at Eastergate, in the County of Suffex, the property of Henry Dickins.——Guilty Death, but Reprieved.

Catherine Kelly, was indicted on suspicion of stealing in the dwelling-house of John Lamb, thirty-nine Guineas in Money, his property.——To be Transported for Seven Years.

Mary Johnson, alias *Ann Fulk*, was indicted for feloniously stealing from John Betterton, one Silver Watch, with a black String, Key and Seal, his property.——Acquitted.

Phillippa Gee, was indicted on her own confession, of being delivered of a bastard child, in the Parish of Epsom, in the County of Surrey, and on suspicion of murdering and destroying the same.——Acquitted.

John Baker

John Baker, was indicted for having with one *Anthony Jackson*, broke open the stables of *Thomas Adams*, Esq; and stealing one box Coat, one great Coat, a horse Cloth, and divers other Things, the property of the said *Thomas Adams*, and a cloth Coat and Waistcoat, a striped Waistcoat, two pair of Bags, several Shirts, and other things, the property of *Joseph Jackson*.——To be Transported for Seven Years.

John Piffey, was indicted for breaking and entering in the day-time, the lodging-room of *James Matthews*, and stealing thereout, three Guineas, one five Shilling and Three-penny piece, and eight Shillings, his property.——To be Transported for Seven Years.

John Steward, and *Joseph Pofnett*, were indicted for stealing a two-penny Box, wherein was twenty Pounds, nineteen Shillings and upwards, in Guineas, half Guineas, two nine Shilling Pieces, a four and six-penny Piece, and some Silver, the property of *Ruth Edmead*, out of her dwelling-house at *Cobham*, in *Surrey*.——The said *John Steward* to be Transported for Seven Years, and *Joseph Pofnett*, Acquitted.

Elizabeth Jerom, was indicted for being delivered of a bastard child, in the Parish of *Frenham*, in *Surrey*, and on suspicion of murdering and concealing the same.——Acquitted.

Mary Davis, was indicted for privately stealing from *Robert Skinner*, a canvas Bag, two Guineas, and five Shillings, his property.——Discharged.

Susannah Sherrington, was indicted for feloniously stealing in the dwelling-house of *Richard Whiffen*, within the Parish of *St. Saviour*, *Southwark*, in *Surrey*, five Pounds thirteen Shillings in Money, and one pair of worsted Stockings, his property.——Acquitted.

John Scorefield, and *Elijah Jones*, were indicted on suspicion of assaulting and robbing *Joseph Wood* on the King's Highway, in the Parish of *Capell*, in *Surrey*, of a Silver Watch, and Gold and Silver Coin, to the amount of seven Pounds; and also the said *John Scorefield* standing indicted for threatening to set the Town of *Dorking* in flames.——Acquitted.

Richard Batt, was indicted for stealing a great quantity of Butter, and one *Cheshire Cheese*, the property of *Leonard Bell*, and Partner.——Branded.

Richard Odehams, *Thomas Walsh*, *John Hughes*, and *Ann Waples*, were indicted on suspicion of stealing several quantities of Spanish Wool, the property of *Mark and John Wayland*, and others; and also the said *Ann Waples*, was indicted for buying and receiving part thereof, knowing the same to be stolen.——The said *Richard Odehams* to be Transported for Seven Years, and *Thomas Walsh*, *John Hughes*, and *Ann Waples*, Acquitted.

Edward Bennett, and *Joseph Adams*, were indicted for committing divers robberies in the County of *Surrey*.——The said *Edward Bennett* being found guilty Death, but Reprieved, and *Joseph Adams* ordered for Execution.

John Tresler,

John Tresler, was indicted for committing divers robberies in the County of Surrey.—
To be Transported for Seven Years.

Charles Herbert, was indicted for assaulting Thomas Jones, and taking from him one Silver Watch, his property.—Acquitted.

John Armoud, was indicted for stealing two Tubs of Butter, the property of Thomas and Leonard Bell.—Acquitted.

Anthony Jackson, was indicted for breaking open the stables of Thomas Adams, and stealing two Saddles, a Bridle, two pair of saddle Bags, and divers other things, his property.—
To be Transported for Seven Years.

Joseph Batt, was indicted for stealing several quantities of Butter and Cheese, the property of Thomas and Leonard Bell.—Acquitted.

Stephen Harwood, was indicted for stealing a Silver Milk-pot, the property of Mary Wilkinfon.—Branded.

Aetion Greenwell, was indicted for breaking his Majesty's Goal in Southwark, in the County of Surrey, and making his escape from thence, after sentence of Transportation had been passed upon him.—Guilty Death, but Reprieved.

John Brown, and *Thomas M^r Ginnis*, was indicted for robbing George Trenchard Goodenough, Esq; on the King's Highway, near Cobham, in Surrey, of a green Purse, two Guineas, one half Guinea, a quarter of a Guinea in Gold, and three or four Shillings in Silver, his property; he was also indicted for stealing a bay Gelding, the property of Thomas Richardson.—
Both guilty Death, but Reprieved.

James Fletcher, was indicted for stealing one Iron Spade, the property of George Curtis.—
Branded.

Joseph Barew, was indicted for committing a Forgery in the County of Surrey.—Acquitted.
Elizabeth Betts, was indicted for stealing a pair of Silver Shoe Buckles, the property of Matthew Slater.—Discharged.

William Harbin, was indicted for stealing several Bell Glasses, and three Hand Glasses, the property of Adrian Vandercam.—Branded.

John Legg, was indicted for feloniously stealing out of the dwelling-house of James Sturt, twenty-five Guineas, his property.—Acquitted.

Mary Tervin Perry, was indicted for stealing one Silver Watch, the property of John Cooper.—Acquitted.
John Eldrige,

John Eldrige, was indicted for stealing a bay Gelding. — *Guilty Death*, but Reprised.

Samuel Clark, and *John Green*, were ordered to be removed to Newgate, to be tried for assaulting and robbing *James Inell*, in the County of Middlesex, of one Gold Watch with a Shagreen Case, and Four-pence Half-penny, his property; also for assaulting and robbing *Thomas Metcalf*, on the highway, in the County of Middlesex, of a Metal Watch with a Gold Dial Plate, and other things, his property; and also for assaulting and robbing *Amos Avery*, on the King's highway in the County of Middlesex, of one Guinea, one Shilling, and two Six-pences, and a Gold Watch, his property; for which indictments they have been since tried at the Old Bailey, and found guilty Death.

Edward Bettingham, was indicted for stealing a large Copper Saucepan, the property of *John Jefferson*. — Branded.

John Spatchsholl, was indicted for feloniously stealing certain Wearing Apparel, from out of the house of *Farmer Green*, of *Jerwick*, in the County of *Suffex*. — Branded.

William Rife, was ordered to be removed to Hants, to be tried for having feloniously and burglariously broken open the out-house, called the brewhouse, of *Mary Brown*, Widow, of the Parish of *Froyle*, in the County of *Southampton*, and taking and carrying away divers Linen, Wearing Apparel, and other things, her property, which were found upon him in *Guildford*, in the County of *Surrey*.

F I N I S.

